

DEPARTMENT OF PERSONNEL ADMINISTRATION

LABOR RELATIONS DIVISION

315 "S" STREET, NORTH BUILDING, SUITE 400
SACRAMENTO, CA 95814-7243



March 28, 2006

Mr. Ken Murch, Consultant
California Association of Psychiatric Technicians
1220 S. Street, Suite 100
Sacramento, CA 95814

Dear Mr. Murch:

On February 23, 2006, the California Association of Psychiatric Technicians (CAPT) submitted its initial bargaining proposals for Bargaining Unit 18 (Psychiatric Technician) for State response and public comment. The State employer submits the attached counterproposals and invites public review and comment.

Consistent with statutory requirements, the State is prepared to discuss with CAPT a mutually agreeable timeframe in which to begin negotiations.

As in previous years, the employer reserves the right to make additional proposals and will invite public review and comment at that time.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian E. Lear".

Brian E. Lear
Labor Relations Officer

Attachment

**State Sunshine Collective Bargaining Proposals
For Inclusion in the Agreement with the
California Association of Psychiatric Technicians
Bargaining Unit 18
Psychiatric Technician**

The State employer asserts that each and every provision of the contract, all side letters, addenda, amendments or other modifications to the contract are subject to renegotiation upon expiration of the contract. The State employer further asserts that any side letter, addendum, amendment or other modification to the contract that is not renegotiated and/or incorporated into the contract is superseded and no longer in effect.

The State employer will consider any proposal that is within scope and is particularly interested in receiving proposals that would that provide management maximum flexibility to maintain optimum public service, achieve cost savings and/or improve efficiency in State operations.

- The State of California is prepared to negotiate over compensation proposals presented by CAPT utilizing a total compensation approach to employee compensation and benefits. Total compensation may include, but is not limited to, the following:
 - Article 4 Salaries, Shift Differentials, Recruitment Incentives and other Cash Compensation
 - Article 5 Hours of Work and Overtime
 - Article 6 Leaves and Holidays
 - Article 7 Health, Dental, and Vision Benefits
 - Article 8 Retirement Provisions
- Article 2.1 Professional Recognition
The State employer will propose clean-up language solely for the purpose of updating and or clarifying the provision to reflect the intent of the parties.
- Article 2.3 Professional Practice Groups (PPG)
The state is prepared to discuss changes to this provision.
- Article 6.14 Work and Family Program
The state proposes to delete this section of the contract pursuant to the expiration of the enabling legislation.
- Article 9.2 Post and Bid
The state is prepared to discuss changes to this provision and, in addition, will propose clean-up language solely for the purpose of updating and or clarifying the provision to reflect the intent of the parties.

- Article 9.4 Staffing
The state is prepared to discuss changes to this provision provided that any staffing provision provides the state the flexibility to manage its budget and operations in a manner that delivers quality services.
- Article 13 Grievance and Arbitration Procedure
The State employer proposes to update the arbitration process to include a provision that an arbitrator's award with a cost impact to the State of \$250,000 or more requires legislative approval.
- Article 14.1 Entire Agreement
The State employer proposes to update the entire agreement provision to include the new provisions of Government Code Sections 3517.63, 19829.5, and 19829.6 (SB 621) which require that any agreement reached requiring expenditure of funds of \$250,000 or more shall be submitted to the California Legislature for approval before it is binding on the parties, as well as other changes that may be necessary.

General Information

The State takes note that all provisions of the Unit 18 MOU that affect delivery of clinical care within the Department of Corrections and Rehabilitation must conform to the requirements of the Court Receiver appointed under the PLATA order and other applicable court orders.

The State employer reserves the right to add, modify, delete or otherwise change proposals during the course of negotiations.

The State is prepared to meet and confer in good faith over each and every item proposed by CAPT in its "sunshine" of February 23, 2006.

The State employer also proposes technical changes to correct errors, bring contract provisions up to date, and/or to delete obsolete language throughout the contract.